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5 IN THE CIRCUIT COURT OF THE STATE OF OREGON
6 FOR THE COUNTY OF MULTNOMAH

7 GODDEUA CALHOUN,

8 Plaintiff,

v.

9 SAFEWAY, INC., a Delaware
10 corporation; and JOHN DOE, an
individual,

11 Defendants.

Case No.:

COMPLAINT FOR DISCRIMINATION

NOT SUBJECT TO MANDATORY
ARBITRATION

PRAAYER: IN AN AMOUNT NOT TO
EXCEED \$400,000
ORS 21.160(1)(c)

JURY TRIAL DEMANDED

13 Plaintiff demands a jury trial and alleges:

14 1.

15 Defendant Safeway, Inc. (hereinafter, "Safeway") is and at all times
16 mentioned herein has been a Delaware corporation engaged in the retail sale of
17 groceries and home goods, including stores located in Multnomah County,
18 Oregon and a store located at 13485 NW Cornell Road, Portland, Oregon.
19 Safeway conducts regular, sustained business activity in Multnomah County.

20 2.

21 On or about March 6, 2023, plaintiff, who is African American, was a
22 customer at the above-referenced store. Plaintiff picked out some items and
23 had them in her hands when she went to the Customer Service desk for a

1 money order. The employee at the desk, John Doe, asked plaintiff if she
2 wanted to purchase the items she had in her hands. She declined.

3.

4 A Caucasian male customer was in front of her with items in his hands
5 as well. He also interacted with John Doe at the desk, but John Doe did not
6 ask the Caucasian customer if he wanted to pay for his items at that time. Doe
7 spoke to plaintiff in a tone and manner that conveyed distrust and contempt,
8 which he had not displayed when talking the Caucasian customer.

9.

10 After obtaining her money order, plaintiff resumed shopping. Doe began
11 following plaintiff and her one-year-old daughter from aisle to aisle, closely
12 monitoring them while she shopped. No other customer was treated with this
13 overt, intrusive scrutiny, including the aforementioned Caucasian customer.

14.

15 The above-described Safeway store is, and at all times mentioned herein
16 has been, a place of public accommodation within the meaning of ORS
17 659A.400. At least part of the motivation for the above-described conduct was
18 the plaintiff's race.

19.

20 The above-described conduct violates ORS 659A.403, which prohibits
21 discrimination in places of public accommodation on account of race.

22. / / /

23. / / /

7.

As a result of the above-described discrimination, plaintiff suffered, continues to suffer, and will in the future suffer from feelings of racial stigmatization, humiliation, and anger, all to her noneconomic damages not to exceed a maximum of \$400,000. This number may change, depending on whether plaintiff's response improves, persists or worsens.

8

Plaintiff is entitled to reasonable attorney fees pursuant to ORS 659A.885.

10 WHEREFORE, plaintiff prays for judgment against defendants for
11 noneconomic damages in a total amount not to exceed \$400,000, and for her
12 costs, attorney fees and disbursements necessarily incurred herein.

Dated: January 30, 2024.

/s/ Gregory Kafoury

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Plaintiff hereby provides notice of her intent to amend to add claims for punitive damages.

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